

Senate File 2285 - Reprinted

SENATE FILE 2285
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO SF 2096)

(As Amended and Passed by the Senate February 22, 2022)

A BILL FOR

1 An Act relating to requirements for additional members of
2 a city planning and zoning commission and a board of
3 adjustment when a city extends its zoning jurisdiction.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 414.23, subsections 2 and 3, Code 2022,
2 are amended to read as follows:

3 2. A municipality, during the time its zoning jurisdiction
4 is extended under this section, shall increase the size of its
5 planning and zoning commission and its board of adjustment
6 each by two members. The planning and zoning commission shall
7 include a member of the board of supervisors of the affected
8 county, or the board's designee, and a resident of the area
9 outside the city limits over which the zoning jurisdiction
10 is extended. The member of the board of supervisors or the
11 board's designee, if any, shall also be a resident of the
12 county in which such extended area is located outside the
13 city limits over which the zoning jurisdiction is extended.
14 The additional members of the board of adjustment shall be
15 residents of the area outside the city limits over which
16 the zoning jurisdiction is extended. At least one of the
17 additional members of the planning and zoning commission
18 and at least one of the additional members of the board
19 of adjustment shall own land that is actively used for an
20 agricultural purpose as defined in section 570A.1. The county
21 supervisor, or the board's designee, and the residents shall
22 be appointed by the board of supervisors of the county in
23 which such extended area is located. The county supervisor,
24 or the board's designee, and the residents shall serve for the
25 same terms of office and have the same rights, privileges, and
26 duties as other members of each of the bodies. However, if the
27 extended zoning jurisdiction of a municipality extends into an
28 adjacent county without a county zoning ordinance, the boards
29 of supervisors of the affected counties, jointly, shall appoint
30 one of their members, or a designee, to the planning and zoning
31 commission.

32 3. Property owners affected by ~~such~~ zoning regulations
33 pursuant to this section shall have the same rights of hearing,
34 protest, and appeal as those property owners residing within
35 the municipality exercising this power. A city may request, but

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1 shall not require, from a property owner affected by zoning
2 regulations pursuant to this section the consent to annexation
3 under chapter 368 as a condition of receiving approval for a
4 zoning classification, special or conditional use, variance,
5 permit, or division of land into two or more tracts.